

The Estate of Chemetco, Inc.
Hartford, Illinois

OPERATION & MAINTENANCE PLAN

Dated: November 20, 2008

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EH&S Manager

I. PURPOSE

This Operation & Maintenance (O&M) Plan updates the existing stormwater management plan, fugitive emissions control plan, groundwater monitoring plan and security plan to address current conditions at the Facility and the future management of the Facility assets of the Bankruptcy Estate of Chemetco, Inc. (Estate) to comply with paragraph 17 of the September 16, 2008 Interim Order in the Matter of the United States and the People of the State of Illinois v. Chemetco, Inc., Civil Case Nos. 00-670-DRH and 00-677-DRH (consolidated).

II. BACKGROUND

Chemetco, Inc. (Chemetco) shutdown operations on October 31, 2001 and filed for bankruptcy protection under Chapter 7 of the U.S. Bankruptcy Code on November 13, 2001. The Estate is administered by Laura K. Grandy, Trustee, for the U. S. Bankruptcy Court for the Southern District of Illinois. The Trustee currently has five full time employees located at the Chemetco facility (Facility) providing caretaker maintenance, environmental compliance and security for the Facility as well as management of assets for the Trustee.

The Facility currently operates under an Administrative Seal Order (Seal Order) issued on December 4, 2001 by the Director, Illinois Environmental Protection Agency (IEPA). The Seal Order restricts access and activity on the Facility due to the presence of “materials containing hazardous levels of lead and cadmium”. All stormwater that falls on the Facility is collected and managed on the Facility through an existing stormwater collection system. Effective November 1, 2005, IEPA issued NPDES Permit #0025747 to address potential discharge from a 1 million gallon stormwater collection basin that receives stormwater from a collection system immediately southeast of the former smelter site on the Facility. Currently, there is no commercial or industrial activity at the Facility but the following activities are expected in the near future:

1. Loading and shipments of sales materials (Cupro, Pot Slag, and Copper Furnace Cleanup Solids) from stockpiles in the Foundry Building are scheduled to begin in early December, 2008 under approved Work Plans under the Interim Order;
2. Upon approval of revised Work Plans for RCRA Closures of the AAF Decontamination Area and Sump and Brick Shop Container Storage Area, work is expected to commence in early December, 2008 and be completed and closed by December 31, 2008; and
3. By early December, 2008, the Estate expects to execute an agreement with Metallo Chimique NA to finance the removal and sale of the three furnaces in the Foundry Building. Work is not expected to start until late 1st Quarter 2009 after submission and approval of a Work Plan.

III. O&M PLAN

The O&M Plan consists of the following:

A. Stormwater Management Plan – The Facility is currently operating under the 3rd Amendment, to the Chemetco, Inc. Stormwater Pollution Prevention Plan (SWPPP) issued August 9, 2002. The SWPPP has been replaced by the Stormwater Management Plan (SMP), dated: November 20, 2008 and is presented as Attachment A to reflect the anticipated work activities and to reflect compliance with NPDES Permit #IL0025747, Issued: November 1, 2005. The SMP will continue to reflect the management of all stormwater on the smelter site and control through the use of the closed-loop retention system, including the lagoons/canals, to store stormwater and the use of pumping and evaporation through irrigation sprayers, a method that has proven successful since 2001 by the Estate to control stormwater levels and prevent overflowing off the smelter site.

B. Fugitive Emissions Control Plan – The Facility does not currently operate under a formal Fugitive Emissions Control Plan but controls fugitive dust by use of water sprays and restricted activities on the Facility. Due to the anticipated future activities on the Facility, the control of

fugitive emissions has been formalized in a Fugitive Emissions Control Plan and is presented as Attachment B. The Plan requires visual monitoring of fugitive emissions and actions such as the use of water misters and sprayers to control fugitive emissions above the background levels caused by acts of nature.

C. Groundwater Monitoring Plan – The Facility does not currently monitor groundwater and has not been required to do so since the Facility shutdown. A Groundwater Monitoring Plan is presented as Attachment C. Monitoring will be phased in as many of the previously installed wells, some are over twenty years old and/or have experienced weathering, as follows:

Phase I – Inspect all available wells and record status and condition and record water levels, if functional. The results of the inspection and water measurements will be presented in a written report to IEPA within thirty (30) days of the approval of the Groundwater Monitoring Plan, depending on weather conditions.

Phase II - Upon evaluation of the results in the report by IEPA and upon consultation with IEPA, the Estate anticipates the selection of no more than nine (9) wells for annual monitoring, including water level measurements, sampling, analysis, and reporting.

D. Security Plan – The Facility does not currently have a formal Security Plan. A formal Security Plan is presented in Attachment D. The Estate contracts with Pass, a local security firm, to provide a 24-hour web-based video camera surveillance of the smelter site, main parking lot, and along portions of the perimeter of the smelter site. The office buildings, Mobile Shop/Stores Building, and Brick Shop are protected by a password alarm system. During working hours, Monday through Friday, 7:30AM to 4:00PM, Estate personnel provide security. During other hours, the camera surveillance system and password alarm systems are active. The entire smelter site is fenced and security lighting is provided where cameras are viewing. All personnel entering the smelter site are required have authorization from IEPA, sign in and out and have a copy of their driver's license made and placed in an Estate file.

RESPONSIBILITIES

Management of Facility – Laura K. Grandy, Trustee

Stormwater Management – Gary Davis and Eric Watt

Fugitive Dust Control – Gary Davis

Groundwater Monitoring – Gary Davis

Security – Judy Gifford and Eric Watt

ATTACHMENT A
STORMWATER MANAGEMENT PLAN

ATTACHMENT B
FUGITIVE EMISSIONS CONTROL PLAN

ATTACHMENT C
GROUNDWATER MONITORING PLAN

ATTACHMENT D
SECURITY PLAN